

AO 108 (Rev. 06/09) Application for a Warrant to Seize Personal Property Subject to Forfeiture AUTHORIZED AND APPROVED/DATE: CB J.H. 21UNITED STATES DISTRICT COURT
for the

FILED

MAR 11 2021

WESTERN

DISTRICT OF

OKLAHOMA

In the Matter of the Seizure of)

All funds in Stride Bank account)
number XXXXXXXX3386, held in the name)
of Rachel Lettinga)

Case No:

M-21-143-SM

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OK
BY [Signature], DEPUTYAPPLICATION FOR A WARRANT
TO SEIZE PERSONAL PROPERTY SUBJECT TO FORFEITURE

I, Brett Coffey, a federal law enforcement officer or attorney for the government, request a seizure warrant and state under penalty of perjury that I have reason to believe that the following property in the Western District of Oklahoma is subject to forfeiture to the United States of America under 18 U.S.C. § 981(a)(1)(C) and 18 U.S.C. § 981(b):

All funds in Stride Bank account number XXXXXXXX3386, held in the name of Rachel Lettinga.

The application is based on these facts:

See attached Affidavit of United States Secret Service Special Agent Brett Coffey, which is incorporated by reference herein.

☒ Continued on the attached sheet.



Applicant's signature

Brett Coffey
Special Agent
USSS

Sworn to before me and signed in my presence.

Date: Mar 11, 2021City and State: Oklahoma City, Oklahoma

Judge's signature

SUZANNE MITCHELL, U.S. Magistrate Judge

Printed name and title

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U.S. DISTRICT COURT
WESTERN DISTRICT OF
MISSOURI
JUDGE: [Signature]
CLERK: [Signature]

11-21-143-24

SEIZURE WARRANT AFFIDAVIT

I, Brett Coffey, the affiant, being duly sworn, hereby depose and state as follows:

Introduction

1. I am a Special Agent with the United States Secret Service (“USSS”) and have been since August 28, 2018. I am assigned to the Oklahoma City Field Office. I have conducted and assisted other agents with investigations involving criminal violations of Title 18 of the United States Code, including wire fraud, bank fraud, and identity theft. Prior to joining the USSS, I was a Police Officer with the Oklahoma City Police Department for over three years.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

Property to be Seized

3. I present this affidavit in support of an application for a warrant to seize all funds in Stride Bank account number XXXXXXXX3386, held in the name of Rachel Lettinga.

4. As set forth below, there is probable cause to believe that Stride Bank account number XXXXXXXXX3386 contains property that constitutes or is derived from proceeds of a scheme to defraud the United States Small Business Administration ("SBA").

Applicable Forfeiture Statutes

5. Title 18, United States Code, Section 981(a)(1)(C) provides for forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of a specified unlawful activity, which includes violations of Section 1343 (wire fraud). Section 981(b)(3) authorizes the issuance of a seizure warrant in any district in which a forfeiture action against the property may be filed under 28 U.S.C. § 1355(b), and the warrant may be executed in any district in which the property is found. Furthermore, when the subject property in a forfeiture action constitutes funds deposited in an account at a financial institution, Section 984 provides for the forfeiture of any identical funds found in the same account as the funds involved in the offense that is the basis for forfeiture.

Facts Supporting Probable Cause

6. USSS agents based in Grand Rapids, Michigan are investigating a scheme where an unknown person used the stolen identity of a Rockford, Michigan resident to fraudulently obtain a loan from the United States SBA. This SBA loan was funded by the Coronavirus Aid, Relief, and Economic

Security (“CARES”) Act, where the SBA provided funding to small businesses affected by the economic downturn caused by the Coronavirus pandemic. Specifically, the fraudulently obtained loan was an Economic Injury Disaster Loan (“EIDL”).

7. On September 1, 2020, Rachel Lettinga, a resident of Rockford, Michigan, contacted USSS agents in the Grand Rapids Resident Office and reported being a victim of identity theft. Lettinga explained that she had received a letter from the Michigan Uniform Commercial Code stating that the United States SBA had listed her as a debtor. Lettinga contacted the SBA and discovered that an EIDL loan had been obtained in her name and funded to Stride Bank. Lettinga filed a complaint with the SBA. She denied applying for this loan or any other SBA loan.

8. Records from the SBA reflect that on August 6, 2020, a person purporting to be “Rachel Lettinga” applied online for an EIDL loan. The application listed Lettinga’s correct date of birth and Social Security number. However, the contact information including phone number, email address, and Employee Identification Number were not Lettinga’s. The application described Lettinga’s business as “Insurance.” EIDL number 4802058201 was electronically signed on August 6, 2020. The SBA funded the loan on August 7, 2020 and wired \$63,900 for economic injury into Stride Bank account number

XXXXXXXXXX3386 based on the account information provided in the online application.

9. Stride Bank is an FDIC-insured bank headquartered in Enid, Oklahoma. Bank records show that Stride Bank account number XXXXXXXXXXX3386 was opened on July 23, 2020. The only deposit made into this account was the August 9, 2020 deposit from the SBA for the \$63,900 EIDL loan. Records show several cash withdrawals from this account beginning on August 10, 2020. These cash withdrawals were made at supermarkets in Phoenix, Arizona and Denver, Colorado. Many of the withdrawals were made within minutes of each other, indicating that the unknown suspect(s) conducted multiple withdrawals, one after another, from the same store. The Phoenix withdrawals occurred on different dates than the Denver withdrawals, suggesting that the unknown suspect(s) may have traveled from one state to another to withdraw the funds. The last withdrawal from this account occurred on September 1, 2020, the date Lettinga reported being a victim of identity theft. The current balance in this account is \$5,395.70.

10. USSS agents have interviewed Lettinga. She denied applying for the EIDL loan or any other relief from the SBA. Lettinga further denied opening a Stride Bank account or making any cash withdrawals from that account.

11. The United States Department of the Treasury confirmed that loan payments originating with the SBA are transmitted through a series of wire transfers. A representative with the United States Department of the Treasury explained that EIDL number 4802058201 was created in Denver, Colorado before being wired to Kansas City, Missouri, where it was processed. This loan was then wired through the Automated Clearing House ("ACH") from Kansas City, Missouri, to the Federal Reserve Bank ACH processing site in East Rutherford, New Jersey. The Federal Reserve Bank ACH system processed the payment file and then wired the funds into the Stride Bank account. Stride Bank confirmed that the wire of \$63,900 was deposited in account number XXXXXXXXX3386 at its headquarters in Enid, Oklahoma in August 2020.

Conclusion

12. Based on the information contained in this affidavit, I respectfully submit there is probable cause to believe that an unknown subject committed wire fraud in the scheme to defraud the United States SBA of approximately \$63,900 related to the fraudulently obtained EIDL loan. I further submit there is probable cause to believe all funds up to \$63,900 in Stride Bank account number XXXXXXXXX3386 are subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(b).



Brett Coffey
Special Agent
United States Secret Service

Subscribed and sworn to before me on March 17th, 2021.



SUZANNE MITCHELL
UNITED STATES MAGISTRATE JUDGE